

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

September 6, 2001

DIVISION ONE

B145114 People
 v.
 Love

(Not for Publication)

The judgment is affirmed.

Mallano, J.

We concur: Spencer, P.J.
Ortega, J.

DIVISION TWO

[illegible]

The Court:

The judgment is affirmed.

Boren, P.J., Nott, J., Todd, J.

September 6, 2001-Continued

DIVISION TWO (Continued)

B140649 People (Not for Publication)
v.
International Fidelity Insurance Company

The order denying the motion to set aside the summary judgment is reversed and the trial court is directed to exonerate the bail.

Todd, J.

We concur: Boren, P.J.
 Nott, J.

B146543 People v. Taylor (Not for Publication)

The judgment is modified to impose a \$50 criminal laboratory analysis fee under Health and Safety Code section 11372.5 and a \$35 county penalty assessment under Government Code section 76000. The trial court is directed to prepare an amended abstract of judgment that reflects the laboratory analysis fee and county penalty assessment, and to forward the amended abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed.

Todd, J.

We concur: Boren, P.J.
 Nott, J.

September 6, 2001-Continued

DIVISION TWO (Continued)

B142325 Sedaghat (Not for Publication)
v.
Molayem

The judgment (order of dismissal) is reversed. The order sustaining defendant's demurrer without leave to amend is reversed. The order vacating defendant's default is affirmed. Each party to bear its own costs.

Todd, J.

We concur: Nott, Acting P.J.
 Cooper, J.

B144631 People (Not for Publication)
v.
Yates

The judgment is modified to stay, pursuant to section 654, the term imposed for the robbery and related firearm?use enhancement in count 2. As modified, the judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
 Cooper, J.

DIVISION THREE

B133269 Brentwood/IMA, Inc.
v.
Weider Communications, Inc. et al.

Filed order denying petition for rehearing.

DIVISION THREE (Continued)

B141018 Charles E. Lawrence (Not for Publication)

v.

Mary Jane Lawrence

Ronald F. Brot

The judgment is affirmed. Respondent(s) to recover costs.

Kitching, J.

We concur: Klein, P.J.

Aldrich, J.

B151325 Ventura Unified School District (Not for Publication)

v.

The Superior Court of Los Angeles County

Adan Lopez, a Minor, by and through his Guardian ad Litem, Ofelia Lopez

The relief request in District's petition for writ of mandate is granted. Let a peremptory writ of mandate issue in the first instance directing the respondent court to: (1) vacate the order denying District's motion to change venue to Ventura County; (2) enter an order granting the motion; and (3) immediately transfer this case to Ventura County for all further proceedings. The stay entered on July 6, 2001 is lifted. No costs are awarded in this proceeding.

Klein, P.J.

We concur: Croskey, J.

Kitching, J.

DIVISION THREE (Continued)

B132047 Sona K. Stambolian (Not for Publication)

B145090 v.

Aris v. Stambolian

Robert G. Hatch, as conservator for estate of Elizabeth Stambolian,
Conservatee

The order characterizing the real property at issue in Los Angeles Superior Court Case No. ND016604 as community property is affirmed. The alternative writ is discharged, and Sona K. Stambolian's petition for a writ is granted. The trial court is directed to vacate the default judgments in favor of the Estate of Elizabeth Stambolian, Conservatee, and against Aris V. Stambolian in consolidated Case Nos. BC223162 and BC223163, and to transfer those cases to the family law court, to the same trial judge who handled the family law case No. ND016604, for resolution. The order staying all proceedings in the superior court is vacated. Sona K. Stambolian is awarded her costs on the appeal against Aris V. Stambolian, and her costs on the petition for a writ against the Estate of Elizabeth Stambolian, Conservatee.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

B141477 People (Not for Publication)

v.

Cruz

The judgment is modified by imposing state and county penalty assessments of \$50 (Pen. Code, §§ 1202.4, subd. (a)), and \$35 (Gov. Code, § 76000, subd. (a)), respectively; as modified, the judgment is affirmed. The trial court is directed to forward to the Department of Corrections an amended abstract of judgment reflecting the above modifications.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

September 6, 2001-Continued

DIVISION THREE (Continued)

[illegible]

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

[illegible]

The judgment is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

[illegible]

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

September 6, 2001-Continued

DIVISION THREE (Continued)

B146308 People (Not for Publication)
v.
Cruz

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

[illegible]

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION FOUR

B146128 Linda B. (Certified for Publication)
v.
Superior Court, Los Angeles County
(Los Angeles County Department of Children and Family Services, r.p.i.)

The petition is denied.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

DIVISION FOUR (Continued)

B148087 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Jerry U. et al.

The order terminating the parental rights of Jerry U. and Loretta R. is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Hastings, J.

B143116 Dang (Not for Publication)
v.
Los Angeles County MTA

The order of dismissal is affirmed. Respondents are entitled to costs on appeal.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

DIVISION FIVE

B144885 People (Not for Publication)
v.
Jakkris Charonenphanich

The Penal Code section 1202.45 fine is stricken. In all other respects, the judgment is affirmed. The clerk of the superior court is to prepare an amended abstract of judgment which accurately reflects this change and forward it to the Department of Corrections.

Turner, P.J.

We concur: Armstrong, J.
Willhite, J. (Assigned)

September 6, 2001-Continued

DIVISION FIVE (Continued)

B143315 People (Not for Publication)
v.
Ranger Insurance Company

The judgment is affirmed. The County of Los Angeles is to recover its costs on appeal from Ranger Insurance Company.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

B145118 People v. Arthur Roman (Certified for Partial Publication)
B149269 In re Arthur Roman on habeas corpus

The judgment is affirmed. The petition for writ of habeas corpus is denied.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Willhite, J. (Assigned)

B140254 Kim Truesdale (Not for Publication)
v.
TLA Restaurant Ltd., et al.

The judgment is affirmed. Respondent(s) to recover costs.

Willhite, J. (Assigned)

We concur: Turner, P.J.
 Armstrong, J.

DIVISION FIVE (Continued)

B147209 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Randy B.

The order is affirmed.

Willhite, J. (Assigned)

We concur: Grignon, Acting P.J.
 Armstrong, J.

B143796 People (Not for Publication)
 v.
 Louis Pierre Flores

For the reasons set forth above, the matter is remanded for the sole purpose of permitting the trial court to either impose or strike the prior prison term enhancements (Pen. Code, § 11372.5, subd. (a)), state penalty assessment (Pen. Code, § 1461, subd. (a)) and county penalty assessment. (Gov. Code, § 7600, subd. (a).) In all other respects, the judgment is affirmed.

Willhite, J. (Assigned)

We concur: Turner, P.J.
 Grignon, J.

B142854 Joseph Zaragoza
 v.
 Daniel G. Davis

Filed order denying petition for rehearing.

September 6, 2001-Continued

DIVISION SIX

B145414 People v. Tellez (Not for Publication)

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B141931 Lang Ranch Company (Not for Publication)
v.
Sunset Ridge, LLC

The judgment is affirmed. Costs on appeal are awarded to respondent.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

B140721 People (Certified for Partial Publication)
v.
Leon

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION SEVEN

Court convened at 9:00 A.M.

Present: Lillie, P.J., Johnson, J., Woods, J., Boland, J. (Assigned) and Emma Jean Amos, Deputy Clerk.

DIVISION SEVEN (Continued)

Each of the following:

B111761 People v. Rathert
B140805 People v. Samudio
B141192 People v. Rogers
B142800 People v. Ramirez, Jr.
B143893 People v. Turner
B143949 People v. Martinez
B144384 People v. Robert C.
B144426 People v. Dematteis
B144908 People v. Anderson
B145538 People v. Carrillo
B145959 People v. Everett
B146120 People v. Christopher M.
B146269 People v. Mecos C.
B146487 People v. Lee
B146628 People v. Ponce
B146892 People v. Guzman
B147348 People v. Cardona, Jr.
B147682 People v. Michael J.
B148115 People v. Boyd
B148418 D.C.F.S. v. Zachary Y.

Argument waived, cause submitted.

B113576 People
 v.
 Riley

Merits:

Argued by Matthew D. Alger for appellant and by Marc Kohm, deputy attorney general, for respondent. Cause submitted.

B109409 People
 v.
 Valentine

Merits:

Argued by Dennis A. Fischer for appellant and by Michael J. Wise, deputy attorney general, for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B141273 People
 v.
 Hernandez

Merits:

Argued by Tamara P. Holland for appellant and by Robert F. Katz, deputy attorney general, for respondent. Cause submitted.

B144783 Thurlwell
 v.
 Shook

Merits:

Argued by Noel A. Obiora for appellant and by William L. Cole for respondent. Cause submitted.

B143612 Mitchell et al.
 v.
 Wixted et al.

Merits:

Argued by Alfred Visco for appellants and by Douglas Jay Evertz for respondents. Cause submitted.

B142154 M.A.G.D. Properties
 v.
 We're #1, Inc.

Merits:

Argued by Joel F. Tamraz for appellant and by Shelly Jay Shafron for respondent. Cause submitted.

B142275 People
 v.
 Young and Houston

Oral argument continued to October 11, 2001 at 9:00 A.M.

September 6, 2001-Continued

DIVISION SEVEN (Continued)

B142587 People
 v.
 Wilson

Oral argument continued to October 11, 2001 at 9:00 A.M.

B140742 Arnold
 v.
 Olive View Medical Center

Oral argument continued to October 11, 2001 at 9:00 A.M.

B123203 Hubner
 v.
 Hubner

Oral argument continued to October 11, 2001 at 9:00 A.M.

B136817 Rogers
 v.
 First Nationwide Mortgage Corporation

Oral argument continued to October 11, 2001 at 10:00 A.M.

B141292 People v. French
B148375 In re Allen French on Habeas Corpus

Oral argument continued to October 11, 2001 at 10:00 A.M.

B138822 Kahan et al.
 v.
 Farmers Insurance Group

Oral argument continued to October 11, 2001 at 2:00 P.M.

DIVISION SEVEN (Continued)

B136359 Tokai Bank of California
v.
Hornwood et al.

Oral argument continued to October 11, 2001 at 2:00 P.M.

B150877 Barmas, Inc., et al.
v.
Superior Court, Los Angeles County
(Francesco Galasso, r.p.i.)

Merits:

Argued by Curtis L. Metzgar for petitioner and by Gary Paul for real party in interest. Cause submitted.

Court recessed at 10:58 A.M.

Court reconvened at 2:00 P.M.

Present: Lillie, P.J., Johnson, J., Woods, J., Boland, J. (Assigned) and Emma Jean Amos, Deputy Clerk.

B140489 Henry
v.
City of Santa Fe Springs

Merits:

Argued by Steven Skolnick deputy city attorney, for respondent. No appearance by appellant. Cause submitted.

B142150 Lawrence
v.
Gootkin

Merits:

Argued by Lorraine Howell for appellant and by Martin F. Goldman for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B142506 Marino
 v.
 Kenoff & Machtinger

Merits:
Argued by David Casterline for appellant and by Frank W. Nemecek for respondent. Cause submitted.

B129833 Kline et al.
 v.
 Redevelopment Agency of The City of Pomona
 Home Depot U.S.A., Inc.

Merits:
Argued by Bruce M. Lorman for appellants, by Stephen T. Owens and Steven R. Garcia for respondents and by David E. Weiss, respondent in propria persona. Cause submitted.

Court adjourned at 3:31 P.M.

B144708 People
 v.
 Jason L.F., a minor

Filed order denying petition for rehearing.